

REMARKS

Claims 1 and 28-52 are pending in the Application. Claims 2-27 had been canceled to allow expedited prosecution of claim 1 but various claims have been re-instituted, as updated for the holding in *Bilski*, since the expected prosecution of a single narrow claim did not seem to be expediting prosecution in any perceivable manner. Since there are no more claims than initially presented, there is no excess claims fee involved in these new claims.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claim 1 stands rejected under 35 U.S.C. § 101 as allegedly directed to non-statutory subject matter. Claim 1 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Muralidhar, et al, “A General Additive Data Perturbation Method for Database Security.”

These rejections are respectfully traversed in the following discussion.

I. THE CLAIMED INVENTION

The claimed invention is directed to a computerized method of conducting a survey. For at least one question in the survey, a bin is established in a memory of a computer for each of a possible response to the question. For each bin, a perturbing mechanism is established that perturbs a content of the bin, the perturbing mechanism having a statistical parameter with a known value.

As described beginning at line 9 of page 2 of the specification, a conventional method of recovering aggregate statistics of the data from perturbed data is iterative, complicated, memory intensive, and takes many computations, thereby requiring large

computation time to estimate a distribution for data mining algorithms that preserve privacy of those whose personal data are collected and analyzed.

The claimed invention, on the other hand, provides a method of data mining that has both a characteristic of small privacy loss and high fidelity in the estimate of the data mining result.

II. THE 35 USC §101 REJECTION

The Examiner alleges that claim 1 is directed non-statutory subject matter. However, Applicant respectfully submits that this claim makes clear reference to a computer executing the steps, so there is no possibility that this claim can be construed as involving mere mental steps.

Moreover, in an effort to expedite prosecution, the claim has been again amended above to provide an even more concrete indication of execution by a computer, although Applicant believes such modification is not necessary.

In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw this rejection.

III. THE 35 USC §103(a) REJECTION

Claim 1 stands rejected under 35 USC §103(a) as allegedly unpatentable over Muralidhar, et al.

However, the claimed invention is clearly different from Muralidhar, et al., in at least the following points:

1. First, Muralidhar does not teach or suggest constructing bins, one for each of a possible answer to the question. In Muralidhar, the data are numbers themselves. In the case of the claimed invention, a number x is converted as corresponding to one of a set of bins, where the bin correspond to the numerical answer is assigned a value of 1, and all the other bins are assigned a value of 0. The vector by taking all the values of the bins is called the indicator vector of the numerical value x . This indicator vector is perturbed,

not the value x itself, as shown exemplarily in Figure 5.

This concept is very different from what Muralidhar teaches.

Second, also related to the novel concept of bins, in the claimed invention, the attribute value can be non-numerical. The indicator vector, which is a vector of numbers, can still be constructed even if the answer is not numerical, but simply taken from a set. In other words, in the response is a color, the bins can be the set of all admissible colors. This again is different from Muralidhar which works only with numerical values.

Hence, turning to the clear language of the claims, in Muralidhar there is no teaching or suggestion of: “... establishing, for at least one question in said survey, a bin, as represented in a memory of a computer, for each of a possible response to said question”, as required by independent claim 1.

Third, in Muralidhar, numerical values of attributes are perturbed by adding a random value to them. In the claimed invention, an indicator vector is generated from a numerical value and this indicator is perturbed. As Applicant described in lines 12-15 of page 9 of the disclosure, this feature of the claimed invention of using a perturbed indicator vector is different from the conventional method of perturbing individual values representing attributes. This difference in fundamental concepts shows up clearly in the language of the claims.

Hence, turning to the language in new claim 28, as separated out again from independent claim 1, in Muralidhar, there is no teaching or suggestion of: “... generating, using said processor, a perturbed indicator vector that represents a respondent’s response for said question, said perturbed indicator vector comprising an information structure including the contents of all bins of said question after said respondent has selected one or more of said possible responses and each of the bins has been perturbed.”

For the above reasons alone, the claimed invention is clearly distinguished from the conventional method described in Muralidhar.

In view of the above, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of record based on Muralidhar.

IV. FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicant submits that claims 1 and 28-52, all of the claims presently pending in the application, are patentably distinct over the prior art of record and is in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

Please charge any deficiencies in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0510.

Respectfully Submitted,



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CERTIFICATION OF TRANSMISSION

I certify that I submitted via EFS this Amendment Under 37 CFR §1.111 on April 6, 2009.



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